

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LEONARD C. WHITE,

Plaintiff,

v.

Civil Action No. 2:21-cv-146-BHL

CITY OF MILWAUKEE, a body politic,
THOMAS J. KOTNIK, JR., individually,
GREGORY T. RUPNICK, individually,
MICHAEL R. SCHWANDT, individually, and
KIM LASTRILLA, individually,

Defendants.

PLAINTIFF'S CIVIL L. R. 7(h) EXPEDITED NON-DISPOSITIVE MOTION TO STRIKE
DEFENDANTS' UNTIMELY MOTIONS IN LIMINE

The Plaintiff, Leonard C. White, by his attorneys, First, Albrecht & Blondis, S.C., hereby submits this Motion pursuant to the Court's October 18, 2022 Order, Civil Local Rule 7(h), and Rule 12(f) of the Federal Rules of Civil Procedure.

Following the Defendants' decision to postpone the jury trial and pay plaintiff's attorney's fees¹ due to prior failures to abide by the Court's orders and the Federal Rules, the Court held a status conference to schedule a new trial and set new deadlines. (Doc. 58.) Specifically, the Court ordered that all motions in limine "must be filed **14 days** in advance of the final pretrial conference." (Doc. 59 (emphasis in original).) Despite this clear directive during the conference (Doc. 58 at 11:15) and in writing in the subsequent Order, the Defendants' chose to file their motions in limine on January 4, 2023 at two o'clock in the afternoon, nearly one full week after the motions were ordered to be submitted and just one day before Plaintiff's deadline to respond

¹ The Plaintiff is still awaiting payment of the Court's sanction by the Defendants.

to said motions. The Plaintiff has complied with the Court's orders. The Plaintiff respectfully requests that the Defendants play by the same set of rules, and, accordingly, request that Defendants' untimely motions in limine be stricken. In the alternative, the Plaintiff respectfully requests that he be given an extension to January 11 to respond to the Defendants' untimely motions.

Respectfully submitted this 4th day of January, 2023.

FIRST, ALBRECHT & BLONDIS, S.C.

Attorneys for Plaintiff
Respectfully submitted,

s/ James P. End

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